

be liable for all damages for breach thereof, and the said inspector shall further be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the Court, and if any inspector shall embezzle or fraudulently convert to his own use or otherwise any property or public moneys, he shall be punished as provided in section 1014 of *The Code*.

SEC. 5. The provisions of this Article as to the inspection of oysters shall not apply to purchasers of oysters by retail in the local markets for private consumption, or to oysters taken for planting purposes on grounds held under the laws of the State.

SEC. 6. Nothing in this law shall be construed to prevent citizens of the State from catching oysters for their own consumption or immediate family use.

#### ARTICLE IV.

SECTION 1. All oysters measured in this State shall be measured in circular tubs with straight sides and with straight bottoms with holes one-half an inch in bottom, if desired for the draining of said measures, and shall have the following dimensions, namely: Across the bottom from inside to inside, sixteen and one-half inches; beginning from the inside chimb to top diagonal, twenty-one inches; across the top from inside to inside, eighteen inches; or, across the bottom from inside to inside, twenty-two inches; across the top, twenty-four inches from inside to inside, and twenty-nine and one-fourth inches diagonal from inside chimb to top: *Provided*, this section shall not prohibit retail dealers from using North Carolina one-half bushel and peck measures. All oysters measured in the standard measure in the shell shall be even measure.

SEC. 2. Any person engaged in buying or selling oysters in this State, not including the person buying the same for family use, who shall have in his possession any instrument for the measurement of oysters in the shell which differs in size or description from the measure mentioned in section 1